

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

CAROLYN CASTERLINE,

Plaintiff,

VS.

INDY MAC/ONE WEST,

Defendant.

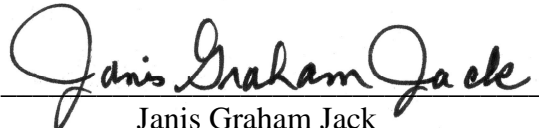
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CIVIL ACTION NO. C-10-210

**ORDER**

On this day came on to be considered Plaintiff Carolyn Casterline's "Petition for Temporary Restraining Order" ("TRO") to enjoin Defendant IndyMac/One WestLiza from foreclosing on the property located at 103 Bay Court Aransas Pass, Texas. (D.E. 2.) Plaintiff states that she "will suffer immediate and irreparable injury, loss, or damage if [the temporary restraining order] is not granted [because] defendant has scheduled the [foreclosure] for Wednesday, June 9, 2010. However, Plaintiff filed this motion on June 24, 2010, after the foreclosure was scheduled to occur. There is no indication from Plaintiff's complaint that the foreclosure did not occur as scheduled. The Fifth Circuit has "consistently found that a request for injunctive relief is moot when the event sought to be enjoined has occurred." Bayou Liberty Ass'n, Inc. v. U.S. Army Corps, 217 F.3d 393, 396 (5th Cir. 2000). Additionally, there is no evidence that service was perfected on Defendant. Accordingly, Plaintiff's Petition for Temporary Restraining Order is DENIED AS MOOT.

SIGNED and ORDERED this 25th day of June, 2010.

  
Janis Graham Jack  
United States District Judge